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ralization of the husband would not confer citizenship on the wife. *In re Rustigian*, 165 Fed. 980 (C. C., D. R. I.).

At common law an alien woman acquired no rights of citizenship by marriage with a citizen. *Count de Wall's Case*, 6 Moore P. C. 216. However, by the above statute passed by Congress the status of marriage with a citizen invests an alien woman with citizenship. *Dorsey v. Brigham*, 177 Ill. 250. And it makes no difference that the husband acquires his citizenship after the marriage. *Kelly v. Owen*, 7 Wall. (U. S.) 496. Naturalization by marriage secures as complete citizenship as that acquired by judicial proceedings. *Leonard v. Grant*, 5 Fed. 11. And the usual statutory requirements of age, education, and moral character are dispensed with. *Renner v. Mueller*, 57 How. Pr. (N. Y.) 229. Moreover, the courts have uniformly held that residence in this country is not essential. *Kane v. McCarthy*, 63 N. C. 299; *Ware v. Wisner*, 50 Fed. 310. But the State Department, to avoid conflicts in international law, has disregarded these decisions. 3 MOORE, INT. LAW DIG. 485-487. In the single previous case in which any question as to the immigration laws arose, a marriage during detention removed the cause for exclusion under such laws in addition to conferring citizenship. *Hopkins v. Fachant*, 130 Fed. 839. The difficulty presented in the main case is therefore a new one. That the act should be so construed as to admit persons otherwise excluded by the immigration laws seems unreasonable. Hence the interpretation that residence is necessary reaches the better result. Cf. *Zartarian v. Billings*, 204 U. S. 170.

**ANIMALS — TRESPASS ON REALTY BY ANIMALS — LIABILITY OF OWNER.** — A's bull wandered from his land on to B's, and there injured C, a licensee. A had no knowledge of the vicious propensities of the bull, and it was not proved that he was guilty of negligence. C sought to recover on the ground that the bull was a trespasser, and that therefore the owner was absolutely liable for any injury irrespective of negligence. *Held*, that C is not entitled to recover. *Peterson v. Conlan*, 119 N. W. 367 (N. D.).

At common law the owner of cattle was bound at his peril to keep them from trespassing upon the land of another. *Bileu v. Paisley*, 18 Ore. 47. And with those states excepted which hold that the common law is inapplicable to their conditions, all jurisdictions agree that the owner is liable for the natural and probable results of the trespass irrespective of negligence. *Pace v. Potter*, 85 Tex. 473; *Lyons v. Merrick*, 105 Mass. 71. But there is a conflict of authority as to whether the owner of cattle ignorant of their vicious disposition is liable for injury to the property or person of the landowner that could not have been anticipated. Those jurisdictions imposing an absolute liability proceed upon the theory that damages for the special injury may be recovered as aggravated damages growing out of the primary trespass. And this right has been extended to a licensee. *Troth v. Wills*, 8 Pa. Sup. Ct. Rep. 1. This extension is difficult to support, for a licensee has no primary right arising from the trespass. It is submitted that a rule of law is too severe which casts upon the non-negligent owner of cattle a liability for mischief that could not have been anticipated. *Klenberg v. Russell*, 125 Ind. 531.

**APPEAL AND ERROR — DETERMINATION AND DISPOSITION OF CAUSE — DECISION BY DIVIDED COURT.** — On appeal from the judgment of a trial court, admitting a will to probate, three judges voted to affirm; four were for granting a new trial, — one on the ground of undue influence, one on the ground of testamentary capacity, and two on both grounds. There was not a majority for reversal on any one ground. *Held*, that the judgment must be affirmed. *In re McNaughton's Will*, 118 N. W. 997 (Wis.).

In the absence of statutory or constitutional modifications, it is well settled that the decision of a majority of the judges sitting in an appellate court is conclusive. *Gibbons v. Ogden*, 5 N. J. L. 1005. Nor is it necessary that their conclusions be based on the same grounds. *Smith v. United States*, 5 Pet. (U. S.) 292, 303. The court in the principal case departs from this rule where